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IN THE CLAIMS:

1 (currently amended): A surface acoustic wave device comprising a piezoelectric substrate and an IDT that is formed on said piezoelectric substrate and is made from Al or alloy including Al as a main component, an excited wave being an SH wave, wherein

said piezoelectric substrate is a rotation Y cut substrate made from a quartz flat [[plate]] substrate,

where a cut angle θ of ~~a rotation Y cut quartz substrate~~ said piezoelectric substrate is a rotation angle of a crystal Z-axis when the piezoelectric substrate is rotated around a crystal X-axis,

a direction in which the piezoelectric substrate is rotated from a positive Z-axis side to a positive Y-axis side is a direction in which said cut angle θ is minus, and

the cut angle θ is set in a range of $-64.0° < \theta < -49.3°$ ~~in a counterclockwise direction from a crystal Z-axis~~, and a propagation direction of a SAW is set to $(90° \pm 5°)$ to a crystal X-axis, and

when a wavelength of the SAW to be excited is represented as λ, an electrode film thickness H/λ standardized by a wavelength of said IDT is set to satisfy $0.04 < H/\lambda < 0.12$.

2 (original): The surface acoustic wave device according to claim 1, wherein a relationship between the cut angle θ and the electrode film thickness H/λ satisfies $-1.34082 \times 10^{-4} \times \theta^3 - 2.34969 \times 10^{-2} \times \theta^2 - 1.37506 \times \theta - 26.7895 < H/\lambda < -1.02586 \times 10^{-4} \times \theta^3 - 1.73238 \times 10^{-2} \times \theta^2 - 0.977607 \times \theta - 18.3420$.

3 (original): The surface acoustic wave device according to claim 1, wherein, when an electrode finger width of electrode fingers constituting said IDT/(electrode finger width + space between electrode fingers) is defined as a line metalization ratio mr, a

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relationship between the cut angle θ and a product H/λ×mr of the electrode film thickness and the line metalization ratio satisfies $-8.04489\times10^{-5}\times\theta^3-1.40981\times10^{-2}\times\theta^2-0.825038\times\theta-16.0737<H/\lambda\times mr<-6.15517\times10^{-5}\times\theta^3-1.03943\times10^{-2}\times\theta^2-0.586564\times\theta-11.0052$.

4 (currently amended): A surface acoustic wave device comprising a piezoelectric substrate and an IDT that is formed on said piezoelectric substrate and is made from Al or alloy including Al as a main component, an excited wave being utilized as an SH wave, wherein

said piezoelectric substrate is <u>a rotation Y cut substrate made from</u> a quartz flat [[plate]] <u>substrate,</u>

where a cut angle θ of ~~a rotation Y cut quartz substrate~~ <u>said piezoelectric substrate is a rotation angle of a crystal Z-axis when the piezoelectric substrate is rotated around a crystal X-axis,</u>

<u>a direction in which the piezoelectric substrate is rotated from a positive Z-axis side to a positive Y-axis side is a direction in which said cut angle θ is minus, and</u>

<u>the cut angle θ</u> is set ~~to satisfy~~ <u>in</u> a range of $-61.4°<\theta<-51.1°$ ~~in a counterclockwise direction from a crystal Z axis~~, and a propagation direction of a SAW is set to (90°±5°) to a crystal X-axis, and

when a wavelength of the SAW to be excited is represented as λ, an electrode film thickness H/λ standardized by a wavelength of the IDT is set to satisfy $0.05<H/\lambda<0.10$.

5 (original): The surface acoustic wave device according to claim 4, wherein a relationship between the cut angle θ and the electrode film thickness H/λ satisfies $-1.44605\times10^{-4}\times\theta^3-2.50690\times10^{-2}\times\theta^2-1.45086\times\theta-27.9464<H/\lambda<-9.87591\times10^{-5}\times\theta^3-1.70304\times10^{-2}\times\theta^2-0.981173\times\theta-18.7946$.

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6 (original): The surface acoustic wave device according to claim 4, wherein

when an electrode finger width of electrode fingers constituting said IDT/(electrode finger width + space between electrode fingers) is defined as a line metalization ratio mr, a relationship between the cut angle θ and a product $H/\lambda \times mr$ of the electrode film thickness and the line metalization ratio satisfies $-8.67632\times 10^{-5}\times\theta^3-1.50414\times 10^{-2}\times\theta^2-0.870514\times\theta-16.7678<H/\lambda\times mr<-5.92554\times 10^{-5}\times\theta^3-1.02183\times 10^{-2}\times\theta^2-0.588704\times\theta-11.2768$.

7 (original): The surface acoustic wave device according to any one of claims 1 to 6, wherein

said surface acoustic wave device is a one-port surface acoustic wave resonator where at least one IDT is disposed on said piezoelectric substrate.

8 (original): The surface acoustic wave device according to any one of claims 1 to 6, wherein

said surface acoustic wave device is a two-port surface acoustic wave resonator where at least two IDTs are disposed along a propagation direction of a surface acoustic wave on said piezoelectric substrate.

9 (original): The surface acoustic wave device according to any one of claims 1 to 6, wherein

said surface acoustic wave device is a lateral coupling type multi-mode filter where a plurality of surface acoustic wave resonators are disposed in proximity to each other in parallel with a propagation direction of a surface acoustic wave on said piezoelectric substrate.

10 (original): The surface acoustic wave device according to any one of claims 1 to 6, wherein

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said surface acoustic wave device is a vertical coupling type multi-mode filter where two-port surface acoustic wave resonators comprising a plurality of IDTs are disposed along a propagation direction of a surface acoustic wave on said piezoelectric substrate.

11 (original): The surface acoustic wave device according to any one of claims 1 to 6, wherein

said surface acoustic wave device is a ladder type surface acoustic wave filter where a plurality of surface acoustic wave resonators are connected on said piezoelectric substrate in a ladder shape.

12 (original): The surface acoustic wave device according to any one of claims 1 to 6, wherein

said surface acoustic wave device is a transversal SAW filter where a plurality of IDTs propagating a surface acoustic wave bidirectionally are disposed on said piezoelectric substrate at predetermined intervals.

13 (original): The surface acoustic wave device according to any one of claims 1 to 6, wherein

said surface acoustic wave device is a transversal SAW filter where at least one IDT propagating a surface acoustic wave in one direction is disposed on said piezoelectric substrate.

14 (original): The surface acoustic wave device according to any one of claims 1 to 6, wherein

said surface acoustic wave device is a surface acoustic wave sensor.

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15 (previously presented): The surface acoustic wave device according to any one of claims 1 to 6, wherein

said surface acoustic wave device has grating reflectors on both sides of an IDT.

16 (previously presented): A module device or an oscillation circuit using the surface acoustic wave device according to any one of claims 1 to 6.

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